

CONFIDENTIAL

Attorney Docket No: NAVI-009/02US

PATENT

DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**METHOD FOR SCREENING AND PRODUCING COMPOUND LIBRARIES**

the specification of which:

☒ is attached hereto.

☐ was filed on , and identified as Attorney Docket No. NAVI-009/02US.

☐ was filed on , as Application Serial No. .

and

☐ the amendment(s) of which were filed on .

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s) (Country) (Number) (Day/Month/Year Filed)

Priority Claimed (Yes/No)

, ,

Yes

, ,

Yes

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

September 14, 1998  
(Filing Date)

September 14, 1998  
(Filing Date)

November 18, 1998  
(Filing Date)

November 18, 1998  
(Filing Date)

[illegible]Status (Pat'd./Pend./Aband.)

**COOLEY GODWARD LLP**  
Attention: Patent Group  
Five Palo Alto Square  
3000 El Camino Real  
Palo Alto, California 94306-2155  
Telephone (650) 843-5000.  
Facsimile (650) 857-0663

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**Full name of sole or First inventor:** Grass, George M.

Inventor's signature  Date 5/6/99

Residence: Tahoe City, California

Citizen of: United States of America

Post Office Address: 1506 Juniper Mountain Road, P.O. Box 1242  
Tahoe City, California 96145

**Full name of sole or Second inventor:** Leesman, Glen D.

Inventor's signature  Date 5/10/99

Residence: Hamilton, Montana

Citizen of: United States of America

Post Office Address: 186 Nighthawk Lane  
Hamilton, Montana 59840-9307

**Full name of sole or Third inventor:** Norris, Daniel A.

Inventor's signature  Date 5/7/99

Residence: San Diego, California

Citizen of: United States of America

Post Office Address: 3145 Cowley Way, #130  
San Diego, California 92117

**Full name of sole or Fourth inventor:** Sinko, Patrick J.

Inventor's signature  Date 5/10/99

Residence: Lebanon, New Jersey

Citizen of: United States of America

Post Office Address: 2 Country Place  
Lebanon, New Jersey 08833

Full name of sole or Fifth inventor: Wehrli, John E.

Inventor's signature \_\_\_\_\_ Date 5/7/99

Residence: Mountain View, California

Citizen of: United States of America

Post Office Address: 1879 Springer Unit B  
Mountain View, California 94040

06563650

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Attorney Docket No: NAVI-009/02US

PATENT

Express Mail Label Number: EM 570 539 405 US

Date of Deposit: May 26, 1999

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, DC 20231.

Date: 26 May 99

By: Vladimir Skliba  
VLADIMIR SKLIBA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of George M. Grass, et al.

Serial No.: Not yet assigned

Examiner: Not yet assigned

Filed: Herewith

Art Unit: Not yet assigned

For: METHOD FOR SCREENING AND PRODUCING COMPOUND LIBRARIES

Assistant Commissioner for Patents  
BOX PATENT APPLICATION  
Washington, D.C. 20231

POWER OF ATTORNEY BY ASSIGNEE AND EXCLUSION OF INVENTORS  
UNDER 37 CFR 1.36 AND 3.71

Sir:

The undersigned assignee of the entire interest in the application for Letters Patent identified above hereby revokes all prior appointments of attorneys and appoints

Nina M. Ashton	37,273	Marcella Lillis	36,583
Alexandra J. Baran	39,101	Tom M. Moran	26,314
James A. Bradburne	38,389	Richard L. Neeley	30,092
Aaron S. Brodsky	39,920	Craig P. Opperman	37,078
Shelley P. Eberle	31,411	Marya A. Postner	42,085
Richard M. Goldman	25,585	Gurjeev K. Sachdeva	37,434
Willis E. Higgins	23,025	William E. Winters	42,232
Peter R. Leal	24,226	Kevin J. Zimmer	36,977

all of the firm of Cooley Godward LLP, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith. This appointment shall be to the exclusion of the above-identified inventor(s) and any attorney(s) appointed by such inventor(s), in accordance with the provisions of 37 C.F.R. 1.36 and 3.71.

Assignee's rights are evidenced by an assignment

☒ a copy of which is enclosed herewith.

☐ previously recorded on at reel , frame(s) .

Please direct all telephone calls and correspondence to:

Cooley Godward LLP  
Attention: Patent Group  
Five Palo Alto Square  
3000 El Camino Real  
Palo Alto, CA 94306-2155  
Telephone: 650-843-5000  
Facsimile: 650-857-0663

Assignee: Navicyte, Inc.

Signature: \_\_\_\_\_

Name: John E. Wehrli, Esq.

Title: Senior Director, Legal Affairs/ Corporate Secretary

Address: 9880 Campus Point Drive, San Diego, California 92121

Date: May 14, 1999

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Attorney Docket No: NAVI-009/02US

PATENT

Express Mail Label Number: EM 570 539 405 US  
Date of Deposit: May 26, 1999

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, DC 20231.

Date: 26 May 99 By: Vladimir Skliba  
VLADIMIR SKLIBA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of George M. Grass, et al.

Serial No.: Not yet assigned Examiner: Not yet assigned

Filed: May 26, 1999 Art Unit: Not yet assigned

For: METHOD FOR SCREENING AND PRODUCING COMPOUND LIBRARIES

Assistant Commissioner for Patents  
Washington, D.C. 20231

STATEMENT UNDER 37 CFR 3.73(b)  
ESTABLISHING RIGHT OF ASSIGNEE TO TAKE ACTION

1. The assignee(s) of the entire right, title and interest hereby seek(s) to take action in the PTO in this matter.

IDENTIFICATION OF ASSIGNEE

Name of Assignee: Navicyte, Incorporated

Type of Assignee: Corporation

PERSON AUTHORIZED TO SIGN

Name of Person Authorized to Sign: James A. Bradburne, Ph.D.

Title of Person Authorized to Sign: Agent of Record

☒ I, the person signing below, state that I am empowered to sign this statement on behalf of the assignee.

BASIS OF ASSIGNEE'S INTEREST

Ownership by the assignee is established as follows. A chain of title from the inventor(s) to the current assignee is shown below:

1. From: George M. Grass, Glen D. Leesman, Daniel A. Norris,  
Patrick J. Sinko and John E. Wehrli

To: Navicyte, Incorporated

Recordation Date: 12/22/98 Reel: 9673 Frame: 0774-0777


☐ Copies of the documents in the chain of title are attached.

Cooley Godward LLP  
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JAB:pkp

Respectfully submitted,  
COOLEY GODWARD LLP

By:

  
James A. Bradburne, Ph.D.  
Reg. No. 38,389



**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of:

GRASS et al.

Art Unit: 1631

Application No.: 09/320,069

Examiner: M. Moran

Filed: May 26, 1999

Attorney Dkt. No.: 109904-00027

For: METHOD FOR SCREENING AND PRODUCING COMPOUND LIBRARIES

**REVOCATION OF POWER OF ATTORNEY AND NEW APPOINTMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

November 5, 2001

Sir:

Dr. Christian Kilger, the undersigned, certifies that Lion Bioscience AG is the assignee of the entire right, title and interest in U.S. Patent Application Serial No. 09/320,069, filed May 26, 1999, by virtue of an assignment from NaviCyte, Inc., a copy of which is attached hereto. The assignment to NaviCyte was recorded in the Patent and Trademark Office at Reel 9673, Frame 0774-0777 on December 22, 1998.

Further, Lion Bioscience AG, as assignee of the entire interest in and to the above-identified United States patent application hereby revokes all powers of attorney previously given and appoints Arent Fox Kintner Plotkin & Kahn, 1050 Connecticut Avenue, Suite 600, Washington, DC, 20036-5339, a firm composed of:

**Charles M. Marmelstein**, Reg. No. 25,895; **Robert B. Murray**, Reg. No. 22,980; **George E. Oram, Jr.**, Reg. No. 27,931; **Douglas H. Goldhush**, Reg. No. 33,125; **Richard J. Berman**, Reg. No. 39,107; **Murat Ozgu**, Reg. No. 44,275; **Robert K. Carpenter**, Reg. No. 34,794; **Gregory B. Kang**, Reg. No. 45,273; **Rustan Hill**, Reg. No. 37,351; **Kevin F. Turner**, Reg. No. 43,437; **Rhonda C. Barton**, Reg. No. P47,271 and **Hans J. Crosby**, Reg. No. 44,634, **Brian A. Tollefson**, Reg. No. 46,338, **Lynn D. Anderson**, Reg. No. 46,412, **David D. Dzara**, Reg. No. 47,543; **Laurence J. Edson**, Reg. No. 44,666; **Michael A. Steinberg**, Reg. No. 43,160; and **Lynn A. Bristol**, Reg. No. 48,898.

as principal attorneys to prosecute said application and to transact all business in the Patent and Trademark Office connected therewith.

The undersigned has reviewed all of the appropriate documents and, to the best of the undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to sign this paper on behalf of the assignee.

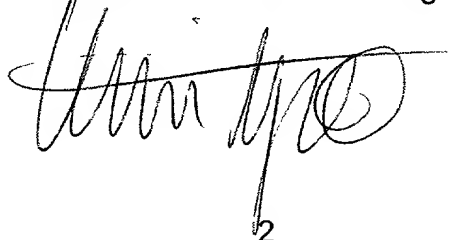
By the provisions of 28 U.S.C. §1746, I hereby declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on: November 5, 2001  
(date)

Name: Dr. Christian Kilger

Title: Director of IP and Licensing

Signature:



TECH/48796.1

## ATTACHED SHEET

U.S. Patent 5,183,760

U.S. Patent 5,599,688

U.S. Patent 5,591,636

U.S. Patent 6,146,883

U.S. Serial Number 09/320,069

U.S. Serial Number 09/320,372

U.S. Serial Number 09/320,270

U.S. Serial Number 09/320,371

U.S. Serial Number 09/320,545

U.S. Serial Number 09/320,544

U.S. Serial Number 60/224,106

Patent 5,599,688

## ASSIGNMENT

WHEREAS, NaviCyte, Inc. (hereinafter ASSIGNOR) a company having its principal office and place of business at Sparks, Nevada, USA owns the inventions, and the patents and patent applications in various countries directed thereto, as set forth on the 2 page attachment hereto.

AND, WHEREAS, LION Bioscience AG (hereinafter ASSIGNEE), a company having its principal office and place of business at Heidelberg, Germany, is desirous of acquiring all interest therein.

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the above said ASSIGNOR by these presents does sell, assign and transfer unto the said ASSIGNEE, its successors, assigns and legal representatives, the full and exclusive right, title and interest in and to the said inventions in the United States and other countries including the full and extensive right, title and interest world-wide in and to the patents and patent applications on the attachment hereto.

NaviCyte, Inc.

By: [Signature]

Title: \_\_\_\_\_

Date: 6/6/01

Witness: [Signature]

6/6/01

TOGETHER